IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 15624 of 1995

Between:

Lucy Mohan Rao w/o late Mohan Rao
H.No.6-3-213 New Bhoiguda
Secunderabad

..... PETITIONER

AND

1 The General Manager, Hindustan Aeronautics ltd., Hyderabad Division HAL Post Office Hyderabad
2 Chairman-cum-Secretary, Hindustan Aeronautics ltd. Provident Fund Trust, HL.Post Office, Hyderabad
3 The Senior Divisional Manager Group Insurance Corporation of India ltd. G & S Department, 1-8-179 , Lakhpath Building, Sarojini Devi Road, Secunderabad
4 The Divisional Co-operative Officer, Hyderabad (west) Ranga Reddy District, Basheerbagh, Hyderabad.
5 Chairman-cum-Secretary, Hindustan Aeronautics Employees Benefit Fund, H.A.L. Post Office, Hyderabad.

6) Hindustan Aeronautics Employees Co-operative Credit Society, represented by its Secretary G.S.Ratnam, S/o. Chaowdayya, 41 years, Balanagar, Hyderabad.

(R6 is impleaded as per Court order, dated 20.06.2000 in W.P.M.P.No.22968 of 1999)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of writ of Mandamus declaring the action of the respondents in withholding the payment of gratuity, provident fund and other terminal benefits to the petitioner as wholly illegal, arbitrary, besides being violative of articles 14,16 and 21 of the Constitution of India and further directing the respondents to immediately settle the account and pay the entire

retirement benefits with interest thereon at the present market rate; and further declaring that the letter bearing Rc.No. 388\91-D, dated 25-11-1993 issued by the 4th respondent is illegal, arbitrary and without jurisdiction and also directing the respondents to jointly and severally pay the amount of Rs.2,00,000/- towards exemplary damages and costs.

Counsel for the Petitioner:MR.MILIND G.GOKHALE

Counsel FOR RESPONDENT NO.1: MR.K.Srinivasa MURTHY

Counsel for respondent No.3: Y.N.Lohita

The Court made the following :

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O R D E R:

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1) The learned counsel for the petitioner submits that he is not in a position to contact his client.

2) On the other hand, the learned counsel for the respondent-management submits that the dues, which are payable to the workman were already paid.

3) In view of the above, no further orders are necessary. However, if any amount is due to the petitioner-workman, it is always open for him to file an application in this regard and the same will be considered by this Court. No costs.

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G.BIKSHAPATHY.J.,

Dt.03.02.2005

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To

1 The General Manager, Hindustan Aeronautics ltd., Hyderabad Division
HAL Post Office Hyderabad
2 Chairman-cum-Secretary, Hindustan Aeronautics ltd. Provident Fund
Trust, HL.Post Office, Hyderabad
3 The Senior Divisional Manager Group Insurance Corporation of India ltd. G & S
Department, 1-8-179 , Lakhpath Building, Sarojini Devi Road, Secunderabad
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